

Section 907 of the LUO makes an exception in the 907 Zoning District with regard to private recreational facilities located on Routes 1, 90, & 17. While paragraph 907.3 ,A, implies that buildings for this special purpose may exceed 10,000 sq feet, there are paragraphs that limit maximum building size to no more than 10,000 sq feet maximum. The proposed changes are an attempt to clean up these conflicts within the ordinance. All changes are annotated in **RED**.

Following are relevant paragraphs [as they are now written](#).

907.3 Special District Standards

(A) All fully-enclosed, private sport facilities (for example, hockey rinks and tennis or basketball courts) in excess of 10,000 sq. ft. that are more than 500 feet back from Routes 1, 17, and 90.

Section 918 Dimensional Tables

A. General Dimensional Requirements

	901	902	903	904	906	907	908	909	913	916
Minimum lot size without sewer	20,000 sq. ft.	20,000 sq. ft.	40,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft.	40,000 sq. ft.	130,000 sq. ft.	40,000 sq. ft.	12,000 sq. ft.	40,000 sq. ft.
Minimum lot size with sewer	12,000	15,000	40,000	40,000	15,000	40,000	130,000	20,000	12,000	40,000
Max. lot coverage	33 %	33%	33%	33%	50%	50%	33%	33%	70%	50%
Max lot coverage municipal bldgs.	50 %	n/a	n/a	n/a	n/a	n/a	n/a	n/a	100 %	n/a
Max lot coverage non-residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Max building footprint non-residential (Note 1)	2,500 sq. ft.	None	None	None	4,000 to 10,000 sq. ft. (see zoning map) None		None	None	None	
Max building height	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	§909(C)(6)	Note 5	34 ft.

Section 918, Subsection C (Notes after the table)

(8) Revise the setback referenced in 907.3 Special District Standards (A) from 500 'to 200'.

Following are relevant paragraphs [modified](#):

907.3 Special District Standards

(A) Fully-enclosed, private sport/recreational facilities (for example, hockey rinks and tennis, gymnastics or basketball courts) with frontage on Routes 1, 17, and 90, may have a maximum building footprint of 30,000 square feet. These facilities are required to be set back from the road by at least 200 feet.

Section 918 Dimensional Tables

A.General Dimensional Requirements

	901	902	903	904	906	907	908	909	913	916
Minimum lot size without sewer	20,000 sq. ft.	20,000 sq. ft.	40,000 sq. ft.	40,000 sq. ft.	20,000 sq. ft.	40,000 sq. ft.	130,000 sq. ft.	40,000 sq. ft.	12,000 sq. ft.	40,000 sq. ft.
Minimum lot size with sewer	12,000	15,000	40,000	40,000	15,000	40,000	130,000	20,000	12,000	40,000
Max. lot coverage	33%	33%	33%	33%	50%	50%	33%	33%	70%	50%
Max lot coverage municipal bldgs.	50%	n/a	n/a	n/a	n/a	n/a	n/a	n/a	100%	n/a
Max lot coverage non-residential	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Max building footprint non-residential (Note 1)	2,500 sq. ft.	No ne	No ne	None	4,000 to 10,000 sq. ft. (see Section 906.3 & 907.3, Special District Standards)		None	None	Non e	
Max building height	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	34 ft.	§909(C)(6)	Note 5	34 ft.

Section 918, Subsection C (Notes after the table)

~~(8) Revise the setback referenced in 907.3 Special District Standards (A) from 500' to 200'.~~ Delete

1302. Administration

No building permit, plumbing permit or certificate of occupancy shall be issued by the Code Enforcement Officer or Local Plumbing Inspector for any use or development within the scope of this Section until a site plan review of the proposed development has been approved by the Planning Board.

An applicant may request a pre-application meeting with the Planning Board prior to formal submission of a site plan.

The Planning Board may require the applicant to perform additional studies, perform inspections or tests, and submit additional materials pertaining to municipal sewer service, water supply, traffic, parking, stormwater and other impacts of the development. The cost of the additional studies, inspections, tests, or additional materials shall be borne by the applicant.

The materials submitted must include, but are not limited to, a written statement defining the proposed project and a Sketch Plan. The Sketch Plan may be a freehand drawing and shall show:

1. The outline of the tract or parcel with estimated dimensions, road rights-of-way and existing easements;
2. The layout of existing and proposed building(s), driveways and parking areas;
3. Identification of general areas of steep slopes, wetlands, streams and floodplains;
4. Estimated calculation of the percent of lot coverage (see definition)

Every applicant applying for site plan review should submit **two (2) hard copies and one (1) digital copy** of the application and supporting documentation to the Planning Office. All copies shall be prepared in accordance with Section 1304 and accompanied by **the associated cost included in the Fee Schedule**.

An application for site plan review shall be submitted at least fifteen (15) calendar days prior to the Planning Board meeting at which the applicant wishes to be heard. Recommendations from the Fire Chief, Police Chief, and Public Works Director shall be solicited from the Planning Office prior to the site plan review meeting.

ADD following paragraphs.

For any application requiring Planning Board review, the Town will send notice to all abutting property owners, as currently listed by the Town Tax Assessor, by priority mail seven (7) days prior to submission of Application to the Planning Board. The applicant will be responsible for all associated costs included in the Fee Schedule.

Such notice shall include:

- 1. the address and map-lot number where the construction is proposed,**
- 2. a general description of the proposed construction,**
- 3. and instructions on how to obtain additional information regarding the project.**

A list of all abutters notified will be supplied by the Town seven (7) days before the scheduled Planning Board meeting.

The Planning Board may schedule an on-site inspection meeting. The on-site inspection shall be jointly attended by the applicant or his or her duly authorized representative and at least two Planning Board members.

Within sixty (60) days after the date on which the site plan application first appears on the Planning Board agenda, the Board shall act to approve, approve with conditions, continue, or disapprove the site plan application submitted or amended. The time limit for review may be extended by mutual agreement between the Planning Board and the applicant.

An applicant for site plan review shall obtain any conditional use and/or variances that may be required from the Zoning Board of Appeals prior to review by the Planning Board. An applicant may request a pre-application meeting prior to receiving ZBA Conditional Use approval.

1303. Applicability

The following shall require site plan review and approval:

The construction or expansion of buildings, including accessory buildings and structures, for commercial use by a total floor area of 1,000 sq. ft. or more.

The creation of more than ten thousand (10,000) square feet of new impervious area at commercial or multi-family residential properties;

A commercial building that has been vacant for more than two (2) years;

The conversion of a residential building to a commercial use;

Revisions to an existing Site Plan seeking an amendment to that previously approved Site Plan; and

Any change of use in which the intensity of use – as reflected in traffic generated, impacts on municipal services, the environment and surrounding neighborhood – will differ in a substantial way from that of the preceding use.

1304. Site Plan Content

The Content of the site plan application shall include as a minimum:

Site Plan 1. Name and address of the applicant or his authorized agent and name of proposed development and any land within 500 feet of the proposed development in which the applicant has title or interest.

2. Municipal map and lot numbers and names of abutting land owners.

3. Plans drawn to scale detailing total floor area and footprint of each proposed structure and the lot coverage as defined in Section 300 of the Land Use Ordinances.

4. Elevations drawn to scale detailing the proposed siding and roofing materials, sizes of door and window openings and other features which may assist the Planning Board in making appropriate findings related to Architectural Review as noted in Section 1003 of this Ordinance.

A site plan or plans prepared at a scale of not less than 1-inch equals 40 feet, containing the following information: Town of Rockport, Maine Land Use Ordinance Chapter 1300 - Site Plan Review Amended August 2020
www.rockportmaine.gov 13-3

5. Scale, true north arrow, legend and a space for dates of any revisions that may be required.

6. Exact dimensions and acreage of parcel to be built upon. The corners of the parcel shall be located and marked on the ground and shall be referenced on the plan. For any site for which construction or grading is proposed, other than an enlargement of an existing building or construction of an accessory building, the Planning Board may require that the site plan include an actual field survey of the boundary lines of the lot, giving complete descriptive data by bearings and distances made and certified by a registered land surveyor.

7. Existing and proposed locations and dimensions of any utility lines, sewer lines, water lines, easements, drainage ways and public or private rights-of-way.

8. The size, shape and location of existing and proposed buildings on the parcel.

9. If the site is to be served by a subsurface waste water disposal system, a report by a licensed site evaluator shall be provided.

10. Location and dimensions of on-site pedestrian and vehicular access ways, parking areas, loading and unloading facilities, design of ingress and egress of vehicles to and from the site onto public streets and curb and sidewalk lines.

11. Landscaping plan showing location, type and approximate size of plantings and location and dimensions of all fencing and screening. Maintenance and replanting provisions shall be noted.

12. Natural contours at intervals of two (2) feet and final contours at intervals of two

13. Specification of quantities and grades of materials to be used if land-filling is proposed.

14. Photos of the project area prior to any site preparation shall be submitted with the map.

15. A digital copy of lot lines and buildings shall be submitted, if available.

(2) feet, the natural contours to be shown by dashed lines and the final contours to be shown by solid lines. Where sufficient detail cannot be shown with two (2) foot contours, spot evaluations shall be required, with existing spot evaluations shown in parentheses to be distinguishable from final spot elevations. Where construction will not disturb the entire lot proposed for development, the requirement to map contours or spot elevations shall apply only to those portions of the lot that will be altered in any way and portions of the lot downslope from the proposed alterations to an extent sufficient to clearly delineate the existing and proposed course of drainage and the point or points of discharge from the lot.

Written Statement 1. Evidence by the applicant of his title and interest on the land that the application covers.

2. A description of the proposed uses to be located on the site.

- 3.Total floor area and footprint of each proposed building and structure and the lot coverage as defined in the Rockport Land Use Ordinance.
- 4.Summary of existing and proposed easements, restrictions, and covenants on the property.
- 5.Method of solid, liquid, chemical, or other waste disposal.

A written statement by the applicant shall consist of: Town of Rockport, Maine Land Use Ordinance Chapter 1300 - Site Plan Review Amended August 2020
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- 6.Erosion and sedimentation control plan, stormwater drainage control plan, and soils information.
- 7.Approximate amount of blasting required, if any, and a disposition plan for removed materials. Any blasting shall be performed in accordance with Section 813 of this Ordinance.
- 8.If public water and sewer are to be used, written statements from the water utility and sewer district shall be provided commenting on the capacity of the system and the availability of the utility to provide service to the new development
- 9.An estimate of the date when construction will start and be completed.
- 10.List of approvals and permits required by the Office of the State Fire Marshal and other State and Federal Agencies.